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Legislature votes to restore grandparents' visitation rights

LANSING -- Sen. Bruce Patterson, R-Canton, today announced the Michigan Senate and House both unanimously passed Senate Bill 727 and sent it to the governor.

SB 727 restores the opportunity for grandparents in Michigan to seek visitation orders in certain strained family circumstances, so they may participate in the lives of their grandchildren. The term used now is "grandparenting time."

"The proposal has made the rounds of the different committee members, and we are encouraged it bridges differences between the House and Senate while remaining constitutional," said Patterson, a member of the conference committee which put months of labor into the language of the bill.

On July 31, 2003, Michigan's Supreme Court, following a decision by the federal Supreme Court, ruled the state's previous grandparent visitation law unconstitutional. This made the drafting of acceptable language very complex.

"There can be no doubt in anyone's mind that grandparents play a vital role in a child's life and upbringing," Patterson said. "However, the high courts clearly indicated that grandparents' visitation rights are not fundamental, only derivative. They did not give much guidance to what legislation will hold up in court. They simply said 'deference' must be given to 'fit' parents."

"Many grandparents have pleaded for restoration of their role in their grandchildren's lives, and we do hope that we have at last managed to establish constitutionally secure provisions," said Patterson. "It has been a time-consuming process."

"I want to thank Representative Jim Howell and Senator Bruce Patterson in particular for their conscientious work, diligent efforts and significant compassion shown in their never-ending fight and work towards protecting grandparents, grandchildren and families in our state," said Richard S. Victor, attorney and executive director of the national Grandparents' Rights group. "Your tireless efforts will hopefully result in a new law as a wonderful gift to Michigan's families during this holiday season."

Bill Knox, legislative representative for AARP, was happy to say that Sen. Patterson had supported 'grandparenting time' to the fullest extent, and the result was "an elegant compromise that goes a long way toward restoring grandparents' rights, without too heavy a burden on them to prove that they have such rights." He also commended Sen. Alan Sanborn and Rep. Jim Howell for their roles in bringing this complex issue to a "great outcome."

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